

600 Third Avenue, 22nd Floor | New York, NY 10016-1915 | bsk.com

MARK A. BERMAN, ESQ.

mberman@bsk.com

P: 646.253.2356

F: 646.253.2301

December 29, 2024

VIA ELECTRONIC FILING

Judge Arun Subramanian
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: Citibank, N.A., as Trustee for the Benefit of the Holders of CF
2020-P1 Mortgage Trust Commercial Mortgage Pass-Through Certificates,
Series 2020-P1 v. Hello Flatbush LLC, et al., Case No. 23-cv-10920-AS

Dear Judge Subramanian:

We represent Defendant Hello Flatbush LLC (“HF”) in this foreclosure action. We are scheduled to appear before Your Honor tomorrow, December 30, 2024, at 3:00 pm, on our request for a conference regarding co-Defendant Eli Karp and non-party Fink & Zelmanovitz failure to comply with discovery demands in a timely fashion.

In response to our letter of December __, 2024, Your Honor ordered Karp and Zelmanovitz to fully respond to all outstanding demands and submit a letter to the Court certifying such compliance by December 27, 2024, at 12:00 pm. They did not meet that deadline. Instead, their counsel, Victor Worms, sent an untimely letter to the Court at 6:04 pm claiming that he had sent two large zip files to my firm containing what is supposedly the completed discovery. At that time, I had not received any such zip files. After extended email correspondence that evening, I finally received the link to the zip files. Unfortunately, I was unable to access the documents contained in the files, which I promptly communicated to Mr. Worms, who indicated that he was also having difficulty accessing the files and that he had used a third-party vendor to prepare them. I and my colleague continued to work over the weekend to access the files without success and will need the assistance of our IT department to hopefully access them in the morning.

Without us having the opportunity to review these files in advance, we request a brief adjournment of the 3:00 pm conference until the following Monday.

Respectfully submitted,

Mark A. Berman

Mark A. Berman

cc: All Counsel by ECF